

REMARKS

This RCE is being filed following a final Office Action dated September 18, 2007 and a telephone interview with Examiner Kruer on December 21, 2007.

Claims 1, 2, 4 and 5 are in the case. Claim 1 is the only independent claim, and is amended hereby.

Applicants address a problem regarding masking members that are used to protect a specific part of an article from being coated while the rest of the article is coated. See paragraphs [0001] and [0002] in their published application 2006/005741 A1. Applicants note that generally masking members are made by vacuum and/or pressure forming sheets in which an inorganic filler is mixed, but that the poor elongation those sheet exhibit makes it difficult to form them into complex articles, and that when such sheets are heated in the process of forming them into articles they droop under their own weight, making accurate molding difficult. See paragraph [0004].

This is a problem and a field different from those addressed in the principal reference, Hennen WO99/14281, which proposes a release liner for an article such as an adhesive tape or the like. Such a release liner is planar rather than formed into a complex shape, so the problem that this application addresses is not even present or recognized. See Hennen at page 3, lines 19-20 ("release liner for pressure sensitive adhesive articles such as single- or double-sided tapes, films, labels, and the like.")

As amended, claim 1 clarifies the following features supported by the original patent application as follows:

1. The masking member is "for use in a coating process to protect from coating a specific part of an article that is being coated." This language helps point out the nature of the claimed masking member and to contrast it with the "release liner for pressure sensitive adhesive articles" discussed in the principal reference. Support can be found at paragraphs [0001] and [0002].

2. The masking member "has a prescribed, non-planar, deep drawing shape or complex shape." This language defines a physical characteristic that is in contrast with the release liner of an article such as a pressure sensitive adhesive tape or the like proposed in the principal reference. Support can be found at paragraph [0044] ("prescribed shape" and "deep-drawing or complex shape"), in each of the drawing figures in this application where the masking member examples are demonstrably non-planar, and in the text describing examples of embodiments, e.g., in paragraphs [0052], [0057], [0063], [0068], [0076], [0080], [0082], and [0087].
3. The masking member "does not droop under its own weight in said vacuum and/or pressure forming." This language also defines a physical characteristic of the claimed masking member and further differentiates it from the release liner of an article such as a pressure sensitive adhesive tape or the like proposed in the principal reference. Support can be found in paragraph [0007] ("does not droop under its own weight"), and in the nature of the masking member examples described in the specification that need to be significantly stiffer than a release liner of an adhesive tape or the like as proposed in the principal reference.

Applicants submit that a person of ordinary skill in the art would not seek direction from the release liner of the principal reference for making a masking member that has very different requirements and physical properties.

The secondary reference, JP 05154423A, is cited for claims 2 and 5 for a teaching that a filler is added to a base layer but does not provide the claimed features missing from the principal references.

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In the telephone interview on December 21, 2007, the Examiner Mr. Krueer and applicants' attorney discussed similar though not identical changes in claim 1 to point out differences from the principal reference. The Examiner suggested that such changes may need to be made in an RCE, and applicants' attorney indicated applicants would do so. Applicants' attorney discussed distinctions from the principal reference along the lines of the distinctions pointed out above.

Accordingly, applicants submit that this application claims a masking member that is not made obvious by the applied prior art, and respectfully request allowance.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition. The Patent Office is hereby authorized to charge any fees that are required in connection with this amendment and to credit any overpayment to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Respectfully submitted,



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